STREET SPIRIT

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JUSTICE NEWS & HOMELESS BLUES IN THE BAY AREA

The Long March from Selma to San Bruno

by Terry Messman

A graduation in nonviolence for men in San Bruno jail. At right (in suits) are Gus Newport, Bernard LaFayette and Kazu Haga.

Considering how many times the organizers and activists of the Freedom Movement were jailed all across the nation during the hard-fought struggle for civil rights, San Bruno County Jail seems a fitting place to celebrate a renewal of Martin Luther King's vision of nonviolent social change.

As our small delegation entered the jail to hold a graduation ceremony for nine prisoners who had completed intensive trainings in Kingian Nonviolence, I felt a profound sense of history on the move. For as we walked down the long corridors of the jail, we were led by Bernard LaFayette, a close associate of Martin Luther King, Jr. and an internationally respected authority on Kingian Nonviolence.

LaFayette's personal march through history has taken him from organizing the disenfranchised black residents of Selma, Alabama, prevented from voting by a brutal system of racism, to his present-day trainings in Kingian Nonviolence with disenfranchised prisoners in jails.

LaFayette was chosen by Martin Luther King to be the national coordinator of the Poor People's Campaign in 1968. And he was with Dr. King in the Lorraine Motel in Memphis on the morning of April 4, 1968, the day King was murdered in Memphis. In a very real sense, LaFayette is present at San Bruno jail to honor King's very last words to him.

On King's last morning on earth, he told LaFayette: "Now, Bernard, the next movement we're going to have is to institutionalize and internationalize nonviolence." During the decades since King's murder, LaFayette has spent his life trying to carry the message of Kingian Nonviolence to the world, training social-change activists in far-flung nations, setting up peace studies in universities and teaching nonviolence inside jail cells.

As we entered a large complex of jail cells that houses about 50 prisoners, I noticed that Theresa Guy Moran, an attorney trained in Kingian Nonviolence, was carrying a book with a cover photo of a young Bernard LaFayette standing side by side with Martin Luther King. The book, *In Peace and Freedom, My Journey in Selma,* is an illuminating case study of the brilliant strategies and costly sacrifices it took to win voting rights on the bloody streets of Selma, Alabama.

When several young prisoners realized that LaFayette was, in truth, the same man standing next to Dr. King in the book's cover photo, they immediately expressed deep respect and gratitude to LaFayette for his work for civil rights in Selma.

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His Heart Is with the People on the Street

"Michael is such an inspiration to every person who wants to be a community organizer because his heart is always with the people." — Janny Castillo

by Lydia Gans

For close to 30 years, Michael Diehl has walked through the streets and parks of Berkeley, connecting with people, talking, listening, and just being present. Many of the people he reaches out to are homeless or inadequately housed. They may be sitting alone and sometimes have unexpected outbursts of anger and violence.

They are people who need help but have given up asking or expecting help. Or they may be people who are deeply concerned about political or social justice issues and are looking to engage with others in community action.

I often see Michael Diehl in Peoples Park and downtown Berkeley, talking with the street people, the young and the old, and it is clear that they respect and trust him. He works for BOSS (Building Opportunities for Self-Sufficiency) as a community organizer. People who have worked with him and know him well speak of him with great admiration.

Janny Castillo is a community organizer at St. Mary's Center who used to work at BOSS for many years. She told me, "I worked with Michael Diehl for 12 years and he is such an inspiration to every person who wants to be a community organizer because his heart is always with the people. There is not a moment when their priorities and their needs don't come first. It has been my pleasure to work along beside him. He has been my mentor and role model for a very long time."

The recently retired executive director of BOSS, boona chema, said, "I have been a student of the wisdom that Michael holds about mental illness and trauma — my dear friend who taught me fearlessness and kept me honest in my work with people less resourced."

I've watched Michael calmly dealing with troubled people and defusing stressful situations. I wanted to get to know this man with the bushy beard and ready smile. I felt I could learn a lot from him.

His job title is community organizer, but he says, "It seems to be more peer out-

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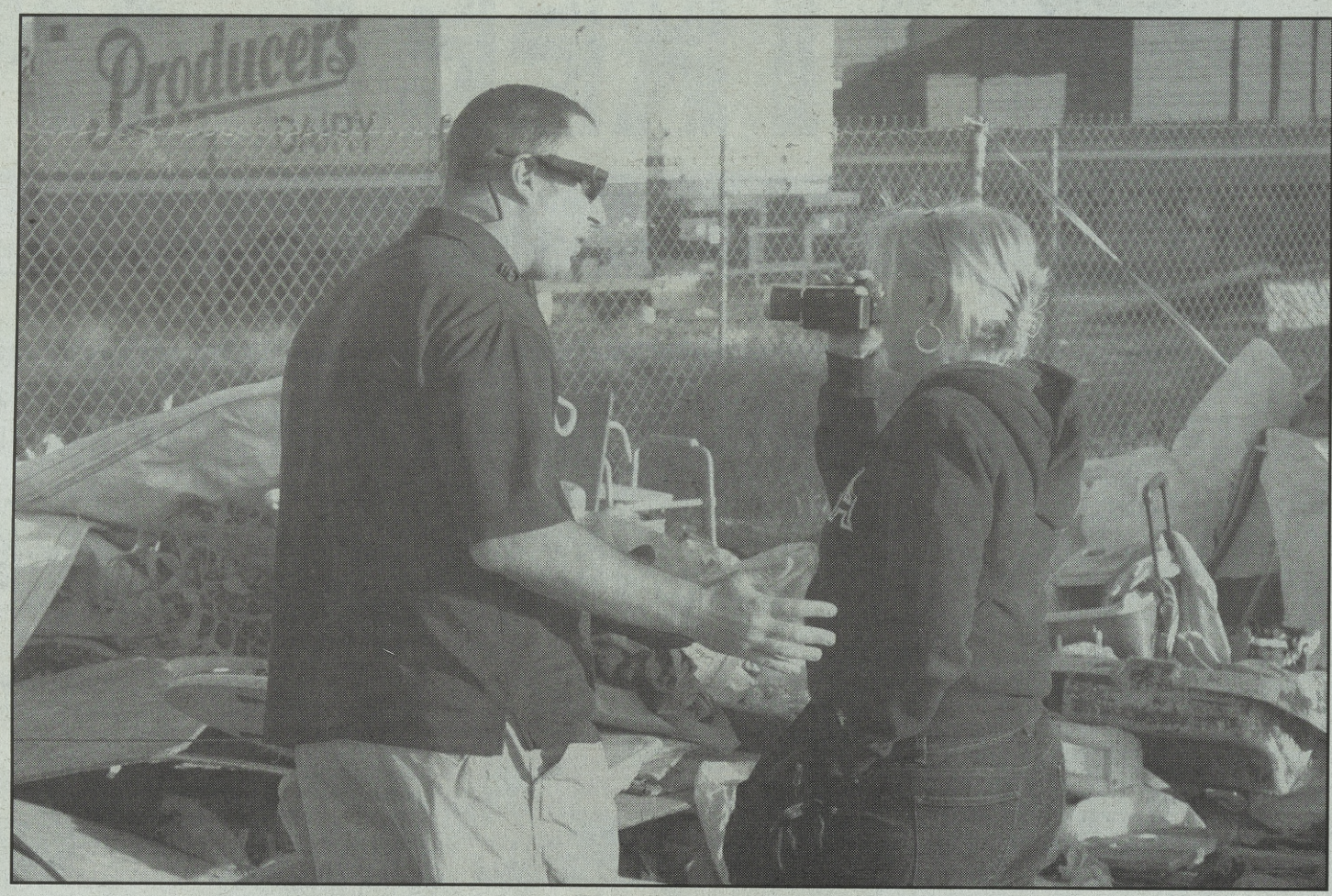
Michael Diehl has been active on the streets of Berkeley for 30 years. Lydia Gans photo

Homeless Advocates Targeted by Fresno Police

Fresno officials demolished every encampment and destroyed tons of homeless people's belongings. The Fresno Police Department will not allow any homeless encampments to re-emerge.

Story and photos by Mike Rhodes



Fresno Police Department Sergeant Robert Dewey *(left)* orders American Civil Liberties Union organizer and Community Alliance board member Pam Whalen to move back, as she documents the demolition of the Grain Silo homeless encampment.

Fresno Police Sergeant Robert Dewey has produced a power point presentation that identifies Pastor Chris Breedlove of the College Community Congregational Church as a leader in a resistance movement to stop the demolition of the Grain Silo homeless encampment in Fresno. The presentation, shown to several community groups, identifies the Brown Berets as the "muscle" behind the struggle to stop Fresno officials from destroying this homeless encampment.

Breedlove says he felt concerned by the tone of the presentation. In a slide entitled "The Final Line in the Sand!" the Fresno Police Department (FPD) claimed that there were "12-15 advocates on hand, intermixed with members of the Brown Berets for 'muscle.'"

The slide goes on to say that the group was "led by Pastor Chris Breedlove of the College Community Congregational Church." Breedlove said he was "outraged, intimidated, and concerned that a citizen not charged of any crime, and not under any investigation, could be named and listed in a public document by the Fresno Police Department in what is tantamount to a smear campaign or being proscribed."

Novella Coleman, an American Civil Liberties Union (ACLU) staff attorney in Fresno, would not comment about whether the characterization of Breedlove amounted to defamation, but did say that "the City has an unfortunate history of violating the rights of homeless persons by confiscating and destroying their property. So it is troubling that the City may be targeting local advocates who seek to hold the City accountable during these so-called cleanups."

According to Breedlove, it is intimidating to be targeted by the police as the leader of a lawless group. He said, "I worry about how my future efforts, issues, and ministries will be adversely impacted by my congregation and myself being negatively branded by the FPD in such a public way. I also worry about the well-being of my family. What if we needed an emergency response by the FPD? Is there a bias among the FPD against progressives such as myself? Is there a specific FPD bias toward my ministry?"

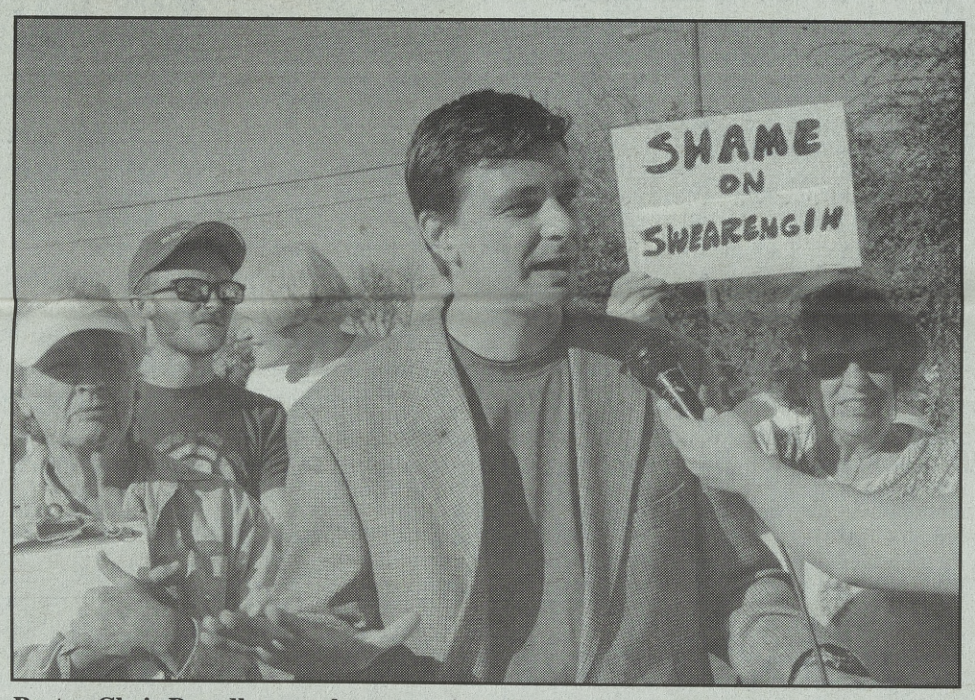
Mario Manganiello, who is associated with, but not a member of the Brown Berets, was at the Grain Silo homeless encampment during the demolition mentioned in the FPD power point presentation. Manganiello said that the Brown Berets did not organize a presence there that day and is upset that the FPD is portraying them as some kind of violent gang.

"They are saying that we were the 'muscle' and pushing for violence and that is absolutely not true," Manganiello said. "My concern is that, with that wording, they are trying to say we are trying to promote violence or encourage other people to be violent towards the FPD."

"But, our stance has always been peaceful at rallies and marches and we are not a violent organization. We are for nonviolent peaceful protests."

Ralphy Avita, a member of the Fresno Brown Berets, said, "I am afraid that the FPD will do as was done in the '60s and

See **Fresno Advocates Targeted** *page 3*



Pastor Chris Breedlove spoke out against Fresno Mayor Swearengin and City Manager Rudd when police began destroying every homeless encampment in town.

Pastor Chris Breedlove said he was "outraged, intimidated, and concerned that a citizen not charged of any crime" could be subjected to "what is tantamount to a smear campaign" by the Fresno Police Department.

Sleep Moratorium Gains Support in Santa Cruz

by Linda Ellen Lemaster

The Santa Cruz County Chapter of the American Civil Liberties Union voted to adopt a Statement of Principle at its most recent board meeting, in support of a proposed time-limited camping ban moratorium in the City of Santa Cruz.

The camping ban moratorium represents a step across the chasm between people experiencing homelessness and the neighbors and governmental systems that rail against their very presence.

"Our ACLU chapter is moving toward a more progressive agenda," said Steve Pleich, vice chair, who has been advocating for a closer examination of the sleeping/camping ban ordinance, at least since the Occupy Movement began its local growing pains.

Rough sleepers and activists believe the camping ban is a bad law because it criminalizes public nighttime sleeping, a necessity to survive. Outdoor sleeping is banned everywhere in Santa Cruz.

Housing NOW Santa Cruz believes that because such bans are part of a system used to criminalize homelessness, intentional or not, it is unconstitutional, and too easily used to selectively enforce, in the same way a loitering ticket is.

Many local residents claim that without such an ordinance our police would be unable to regulate the growing numbers of travelers and homeless people who are forced to sleep outdoors in the absence of sufficient shelter options.

The ACLU voted for this moratorium after a groundswell of support. Homeless people, several activists from Homeless United for Friendship and Freedom, and former Occupy members spoke during the chapter's public comment time.

Housing NOW Santa Cruz believes that a time-limited moratorium on the sleeping ban ordinance would put these assumptions to the test.

Because such patterns of enforcement and impacts of criminalization are finally making their way into higher courts in this nation, support from our ACLU for addressing the sleeping and camping ban couldn't come at a better time.

Other chapters are also examining local problems regarding the criminalization of homelessness, and the regional ACLU conference in Sacramento in April included a workshop on California's history of criminalizing homelessness.

For further information about the work of the ACLU on this issue, please contact Steve Pleich at spleich@gmail.com.

ACLU Santa Cruz Statement of Principle

"The Santa Cruz County Chapter of the American Civil Liberties Union supports in principle a limited time moratorium on enforcement of camping ban laws and ordinances within the City and County of Santa Cruz on the grounds that such laws and ordinances selectively criminalize the homeless community.

"While the chapter is mindful that such a moratorium raises practical problems within the community at large, we believe that the benefits of such an approach in terms of the opportunity for civic leaders, policy makers and stakeholders to reassess the efficacy of these laws and ordinances outweighs any temporary adverse impact."

Fresno Advocates Targeted by Police

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'70s with the more left-wing radical groups such as the Black Panther Party and classify us as the 'bad civil rights groups' and thus discredit us. I am hopeful that in this age of the Internet we can fight back against such a characterization.

"Our youth are better equipped to fight with a smart phone than with a gun, as 'Anonymous' has demonstrated. So unless we allow them to manipulate our image we still have a chance to win the public's trust."

Speaking about the role of the Brown Berets in the community, Avita said it is "to organize, educate and serve the communities who are oppressed. Unlike past beret organizations, we are not nationalistic, homophobic, sexist, or conforming to institutions who would oppress others. Also, unlike most groups, we do support the people's right to self defense and thus will not consider ourselves nonviolent."

Responding to a California Public Records Act request, the Fresno Police Department provided the Community Alliance with a version of the power point presentation that did not include the information that offended Breedlove and the Brown Berets. Sergeant Dewey, who produced the presentation, "An Overview of our Mission, Accomplishments and Goals," says he changed the references to Breedlove and the Brown Berets, some photos, and other minor details.

Dewey said he had reason to believe that Breedlove was the leader of the homeless advocate group, because he had previously held a press conference on the issue and had negotiated with the attorney representing the City of Fresno about the Grain Silo homeless encampment. He added that the information has been removed from the power point presentation and if Breedlove is upset he will apologize to him.

"I would apologize to Pastor Breedlove, to say that if that is not what was going on, if that was an assumption I made that was wrong, I apologize," Sergeant Dewey said. "I did take it out. I had been told by one or two other people that maybe it should be a little more generic. That is why I decided to go ahead and change it."

The Brown Berets did not have an organized presence at the Grain Silo homeless encampment on the day of the demolition, but they also caught the attention of Dewey and the FPD.

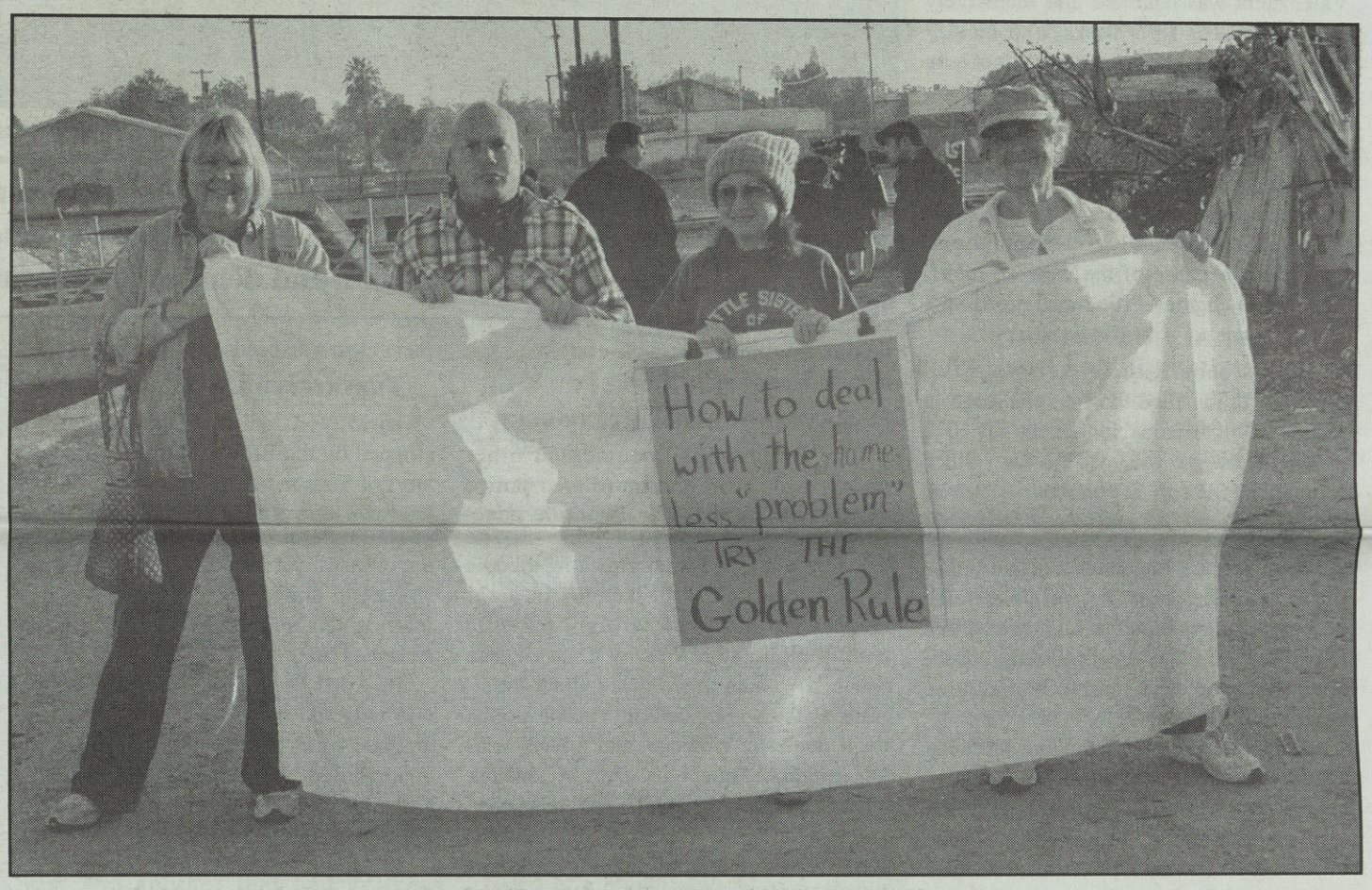
Dewey said, "As far as the muscle, we did recognize people that we had seen in the past that were wearing obvious brown handkerchiefs and brown berets. I have done some dignitary protection in the past and I know what it looks like when one person is protecting others. That is what it appeared to us as."

Manganiello said the purpose of the group he was with on that day was to give the homeless enough time to move their property. "We were able to stall them (the City of Fresno) for a long enough time so the homeless could put their belongings into storage, so that was the ultimate outcome," Manganiello said.

Sergeant Dewey saw the situation differently. "As a law enforcement officer, I can't allow that. I can't allow somebody else to control the tempo on a scene that I'm supposed to be in control of. The fact of the matter is that we had a trespassing issue."

About the characterization of the Brown Berets as being the muscle, Dewey said, "If they are upset about this, I apologize. I will apologize to their face if they want me to speak to them. I've got no problem with that."

The City of Fresno destroyed tons of homeless people's belongings at this and several other encampments in the downtown area. The new policy, enforced by the Fresno Police Department, is to allow no homeless encampments to re-emerge.



Homeless advocates in Fresno were willing to risk arrest to stop the City of Fresno from taking homeless people's property. Their banner declares: "How to deal with the homeless problem. TRY THE GOLDEN RULE." Pictured from left to right: Bev Fitzpatrick, Mario Manganiello, Dixie Salazar, and Nancy Waidtlow.

During the demolition of the Grain Silo homeless encampment on October 23, 2013, Breedlove took video footage, including a scene where he asked an on-duty police officer for his name and badge number. The officer ignored the request.

ACLU attorney Coleman, citing California Penal Code § 830.10, said that "any uniformed peace officer shall wear a badge, nameplate, or other device which bears clearly on its face the identification number or name of the officer."

Dewey says that Police Officer Nicholas El-Helou was on duty and should have identified himself, but didn't because he was in plain clothes and told not to "engage" unless there were problems. Dewey said he is confident that this problem will not be repeated.

Dewey shows the power point presentation to community groups in an effort to explain the dynamics taking place at the FPD as part of the City of Fresno's work to end homelessness. He says that he initially saw the role of the FPD Homeless Task Force as eliminating the encampments and then stopping them from re-emerging.

"We can't just ignore the underlying issue of the fact that we still have this huge homeless population that has nowhere to go," Dewey said.

"We very quickly evolved from, 'OK, let's move these people along and keep the streets clean.' That was easy! I truly think that was the easy part. That is what we do, we are cops, right? The hard part was, but what do we do now? What do we do after the dust is settled? We quickly transitioned into social work and that is a very difficult hat for us to wear."

There is a recognition by Dewey and other members of the FPD Homeless Task Force that they will not succeed by traditional police methods alone. They do cite statistics like the 1,333 shopping carts they have removed, 125 felony arrests, and 266 new homeless encampments they have cleared, but they get more excited talking about the one-on-one encounters that have led to homeless people getting the help they need to get off the streets.

Members of the FPD Homeless Task Force have no professional training as social workers. Their "tough love" approach to ending homelessness has serious limitations, and the sometimes awkward encounters with homeless advocates makes them a less than ideal group to be on the front line in the City of Fresno's approach to ending homelessness.

Pastor Breedlove said, "It is truly a complex and devastating human rights problem of suffering. Individual citizens need to be engaged. Communities of faith need to be involved. But, elected officials cannot abdicate their elected responsibility on this issue as well. There needs to be a multifaceted approach for such a problem of immense complexity."

"Housing First initiatives are one approach, but that alone will not be a total remedy. Advocates have detailed what an organized, safe and secure campsite would involve; but such sincere offers of collaboration have been ignored by all city council members and county board of supervisor's members to date.

"Fresno Mayor Ashley Swearengin and City Manager Bruce Rudd only exacerbate the lives of homeless people by demolishing their communities. Some within the religious fabric of Fresno believe that homeless advocates should collaborate with the city toward solutions. I'm of the mindset that it's difficult to collaborate with an administration that sends bulldozers and intimidating task forces barreling down on a person that you're trying to help. The City of Fresno first needs to halt harmful and costly policies toward the homeless."

Mike Rhodes is a writer and photographer for the Fresno Community Alliance newspaper. Contact mikerhodes@comcast.net

A Constitution-Free Zone on the U.S. Border

by David Bacon

Under the Fourth Amendment, the people of the United States are not supposed to be subject to random and arbitrary stops and searches. But within 100 miles of a U.S. border, these rules don't apply.

Last July, a worker phoned Alejandro Valenzuela, a young staff member at the Southside Workers Center in Tucson, Arizona. The police were at his home, the worker said, and were detaining him for deportation. Valenzuela and a friend drove over to observe and "to make sure his rights were being respected."

Over the next half hour the police grew increasingly hostile, demanding identification from Valenzuela, despite the fact that he was not driving the car, which was parked at the curb. They then detained Valenzuela and the worker.

Police then drove the two to Border Patrol headquarters. Neither was ever arrested or accused of a crime. Valenzuela was detained and intensively questioned for five hours, and finally released only when he could show he qualified for Deferred Action, which allows undocumented young people (DREAMers) to apply for deferred deportation and work authorization. The worker was eventually deported.

"On the street we get stopped and questioned because of the way we look," Valenzuela charges. "It's racial profiling."

"End Deportations Now!" **Immigrants, union members, and people of faith call for an end to deportations.** David Bacon photo

In Arizona, the ACLU documented "unprovoked assaults and verbal abuse, the unwarranted use of handcuffs and shackles, extended and recurring detention, invasive searches, property destruction and confiscation, and denial of food, water and legal representation."

The ACLU Files Suit

On his behalf, the American Civil Liberties Union filed the first challenge to section 2B of Arizona's infamous SB 1070 — the "Show me your papers" law, which went into effect in September 2012, and authorizes police to enforce immigration law. The ACLU argues it "unconstitutionally authorizes and encourages illegal police practices ... the South Tucson police officers' actions amounted to false arrest, violated Alex's right to equal protection of the law and trampled his right to be free from unreasonable seizures."

Tucson is 60 miles from the Mexican border, within a 100-mile zone where immigration authorities say important due process rights can be suspended.

"SB 1070 interacts with this 100-mile area to enable these rights violations," explains James Lyall, ACLU staff attorney in Tucson. "It's easy for police to stop people on a pretext, detain them longer than permitted, and turn them over to the Border Patrol."

The Valenzuela suit was one of the first actions taken by the ACLU Border Litigation Project, launched to document and litigate civil and human rights cases on the U.S. Mexico border. Outside of communities like Tucson, the existence of a 100-mile "Constitution-free zone" is not well known. "There, the longstanding view [established in court rulings] is that the normal rules do not apply," according to the ACLU. "For example, the authorities do not need a warrant or probable cause to conduct a 'routine search.'"

As of 2008, the zone potentially covered a staggering 197.4 million people — two-thirds of the U.S. population, including nine of the country's 10 largest cities.

In Arizona, the impact is magnified by federal enforcement and state legislation. Isabel Garcia, legal defender for Pima County (which includes Tucson), explains, "In Arizona we've become a laboratory for every kind of anti-immigrant, anti-human [rights] piece of legislation."

She points to Proposition 100 that amended the state constitution in November 2006 to permit the detention without bail of any undocumented immigrant accused of a felony. Under state legislation, a felony now includes using a fictitious document or a Social Security number belonging to another person.

Rampant Police Misconduct

The Project has documented other instances of immigration-related police misconduct beyond the 100-mile zone. They include an elderly Latino citizen jailed by Mesa police after picking a bottle from a trashcan, a passenger in a car stopped for a broken taillight taken to immigration authorities by Casa Grande police, a woman interrogated about immigration status after calling Tucson police about domestic violence, and a legal resident questioned about his status by Phoenix police while picking up his impounded car.

ACLU attorney Christine Sun calls the cases "representative of policing problems throughout Arizona." Lyall testified before the Tucson City Council, noting that in May, Federal District Court Judge Murray Snow ruled that Maricopa County Sheriff Joe Arpaio, using policies like those in Tucson, was guilty of systematic and unconstitutional racial profiling.

The ACLU of Arizona made 20 recommendations for changes in Tucson's police practices. The most basic were to prohibit police "from questioning crime victims and witnesses about their immigration status," from "extending any stop or detention solely to await a U.S. Customs and Border Protection (CBP) or ICE response," requiring officers to contact their supervisors before questioning people about immigration status, and to document "the reasons such questioning is believed necessary." According to Arizona Public Media, the council unanimously approved council member Regina Romero's motion to ask police to put public safety above checking immigration status.

In October, the ACLU demanded an investigation of the Border Patrol, citing five examples of unlawful stops by roving patrols within the 100-mile zone. Although U.S. Customs and Border Protection (CBP) claims broad authority to conduct searches here, the ACLU complaint responds that "the Fourth Amendment's protection against unreasonable searches and seizures extends to protect against unlawful investigatory stops." Some of the documented mistreatment clearly exceeds this standard.

Threatened and Manhandled

In May, Clarisa Christiansen was stopped by the Border Patrol in the desert west of Tucson, 40 miles north of the border, while driving her five- and seven-year-old children home from school. All are citizens, yet she was threatened with a Taser and knife, forced from her vehicle, interrogated, and left beside the road with a slashed tire.

In April, a Native American woman was tailgated by a Border Patrol vehicle, dragged from her pickup, threatened and manhandled, interrogated and ridiculed, and detained for over an hour on the Tohono O'odham reservation.

In March, a tourist from Oregon was threatened, detained and falsely accused of drug possession after hiking at the Fort Bowie Historical Site. A drug-sniffing dog did hundreds of dollars of damage to his car, but when his insurance company sought reimbursement, the CBP claimed the Federal Tort Claims Act "bars recovery for property damaged by CBP employees while the property is under detention."

In May, a Latino citizen farmer was followed and detained on his property by Border Patrol agents holding automatic weapons. Agents trespass frequently, the family complains.

Two years ago, Suzanne Aldridge was stopped just outside of Bisbee, Arizona, 30 miles from the border, dragged from her car, handcuffed, and groped by a Border Patrol agent. Ten vans of agents, police and sheriffs searched her car with a drug-sniffing dog without her consent. She tried to file a complaint, but was given the runaround by CBP representatives.

In September, the ACLU of Washington and the Northwest Immigrant Rights Project settled a lawsuit challenging CBP's roving patrols on the Olympic peninsula, which lies within the 100-mile zone. As in Arizona, the Border Patrol conducted arbitrary vehicle stops, prolonged detentions and other forms of mistreatment. Fourth Amendment protections still apply, the settlement says.

"Border Patrol officially agreed to follow the Constitution and not racially profile Latinos and other minorities ... People should not have to fear that they could be stopped and questioned without reason any time they drive or are passengers in cars," said Sarah Dunne, legal director of the ACLU-WA.

The Heavy Price of Immigration Enforcement

In testimony to September's Congressional ad-hoc hearing on border security, the ACLU detailed other areas in which the Border Patrol violates constitutional rights. In Arizona ports of entry, a May ACLU complaint documented 11 cases involving "unprovoked assaults and verbal abuse, the unwarranted use of handcuffs and shackles, extended and recurring detention, invasive searches, property destruction and confiscation, and denial of food, water and legal representation."

At the state's 11 CBP checkpoints, border residents report numerous unlawful searches, detentions, threats and abuse. The vast majority of detentions are for petty crimes, not immigration, and federal authorities dump those cases on local courts. Says Santa Cruz County Sheriff Tony Estrada. "They tell us, 'If you don't take them, we're going to take your [federal law enforcement] funding away.'"

Abuse in CBP custody is rampant. A recent University of Arizona report revealed that 11 percent of deportees reported physical abuse by U.S. authorities, 23 percent experienced verbal abuse, 45 percent received insufficient food, 39 percent had their possessions confiscated and 29 percent had their identification documents taken and not returned.

The worst abuse is deadly. Since 2010, 20 people have died as a result of CBP use of force. Sixteen-year-old Jose Antonio Elena Rodriguez — standing on Mexico soil — was shot seven times in the back in 2012 by an agent firing across the border at Nogales, Arizona.

Nineteen-year-old Carlos LaMadrid was shot four times in the back while running toward Mexico at Douglas. Ramses Barron Torres was shot while simply standing in Mexico. The Department of Justice would not prosecute agents in the LaMadrid and Barron killings, and is still investigating the death of Elena Rodriguez.

See **Constitution-Free Zone** *page 5*

U.S. Court Strikes Down Law Prohibiting People from Living in Vehicles in Los Angeles

by Lynda Carson

An insidious law used by the cops in Los Angeles to harass and criminalize homeless people for sleeping in their vehicles, and using their vehicles as "living quarters," was struck down on June 19 by the U.S. Court of Appeals for the Ninth Circuit Court.

In the case *Desertrain v. City of Los Angeles,* the court sent a strong message all across the nation that cities cannot attempt to make homelessness illegal with egregious city laws that essentially make it impossible for homeless people to survive by staying in their vehicles.

For years, it has been a common practice for homeless people to use their vehicles as a form of shelter when necessary. Whether it is due to a lack of money, or dire circumstances that leave them little choice but to sleep in their vehicles when the city they reside in does not offer them any other decent options, living out of a vehicle is an alternative to staying in overcrowded and unsafe homeless shelters, or sleeping on the sidewalks, or under the bushes, or on the brutal streets.

In 1983, the City of Los Angeles enacted Municipal Code Section 85.02 to attack its homeless population, making it illegal for people to use their vehicles as "living quarters" either overnight, day-by-day, or otherwise while the vehicle was parked on city streets, or in City-owned parking lots, and parking lots owned or under the control of the Los Angeles County of Beaches and Harbors.

During the week of September 23, 2010, Los Angeles officials created the Venice Homelessness Task Force, with 21 cops who had orders to use Section 85.02 to cite and arrest homeless people for using their automobiles as "living quarters." The cops were also supposed to hand out information to people about providers of shelters and other social services.

A number of brave souls, including Cheyenne Desertrain, Steve Jacobs-Elstein, Bradford Echhart, Patricia Warivonchik, Leroy Butler, William Cagle, and Chris Taylor, fought back against the discriminatory anti-homeless laws of Los Angeles. As a result, the court struck down the law that made it illegal for homeless people to use their vehicles as "living quarters" in the City and County of Los Angeles.

Art by Christa Ochiogrosso

Across California, entire families have been forced to use their vehicles as a form of shelter because their cities do not offer enough decent housing options.

Many gravely ill and disabled homeless people have been arrested in Los Angeles for using their vehicles as "living quarters" and had their vehicles impounded. Those arrested under this law included one person who had congestive heart failure, and another that had epilepsy. Another was an individual suffering from severe anxiety and depression after he lost his own legal temp business company that he had for almost ten years, and also lost his home during bad economic times.

Some of those arrested were found to have food in their vehicles. The cops used the presence of food as a pretext to accuse them of living in their vehicles, and then arrested them and impounded their cars.

The police were instructed to look for vehicles containing possessions normally found in a home, such as food, bedding, clothing, medicine, and basic necessities people need to survive.

The brave people who fought back against the insidious law argued that Section 85.02 is unconstitutionally vague on its face because it provides insufficient notice of the conduct it penalizes and promotes arbitrary and discriminatory enforcement. The court agreed with them.

The court ruled that Section 85.02 provides inadequate notice of the unlawful conduct it proscribes, and opens the door to discriminatory enforcement against the homeless and the poor. Accordingly, the law violates the due process clause of the Fourteenth Amendment as an unconstitutionally vague statute.

The court further believes that for many homeless people, their automobile may be their last major possession — the means by which they can look for work and seek social services. The City of Los Angeles has many options at its disposal to alleviate the plight and suffering of its homeless citizens. Selectively preventing the homeless and the poor from using their vehicles for activities many other citizens also conduct in their cars should not be one of those options.

The criminalization of the poor and the homeless in cities across the United States is cruel and inhumane. Other attacks on the poor and the homeless include the notorious sit/lie laws in San Francisco and the attempt to create such vicious laws in the City of Berkeley.

Sleeping bans exist in Santa Cruz, San Diego, and St. Petersburg, Florida, under the guise of "no camping laws." Some cities prohibit sharing food with homeless people unless you have a permit, and many cities refuse to grant permits to feed poor and homeless people in their communities. In Orlando, Florida, people from Food Not Bombs have been arrested and sent to jail for feeding the poor and hungry, and Food Not Bombs volunteers have been harassed and arrested in San Francisco and other cities in past years.

Laws against panhandling are another attack on the poor in many cities, and homeless people are being subjected to several other forms of cruel and inhumane treatment in many cities across the nation.

Lynda Carson may be reached at tenantsrule@yahoo.com

Constitution-Free Zone on U.S. Border

from page 4

One other product of the Constitution-free zone is the Operation Streamline courtroom, where every day 70 young people are brought before a Federal District Court judge, chained at their wrists, waists and ankles, and pressured into pleading guilty to criminal charges of illegal entry or reentry. "These proceedings offend fundamental principles of due process," the ACLU testified.

"We just closed our post office in Tucson because it cost $14 million a year to run, and lost 400 jobs," charges Garcia. "We closed eleven schools because the Tucson district had a shortfall of $17 million. Yet we pay Corrections Corporation of America $11 million a month to house these migrants."

The ACLU testimony made seven recommendations for humane reform. They include increasing CBP oversight, preventing excessive use of force, reducing the high number of border crossing deaths, increasing detention standards and inspections, discouraging local and state authorities' involvement in immigration enforcement, abolishing the Operation Streamline court, and reducing CBP's "zone of authority" from 100 miles to 25 miles from the border.

In October, community anger in Tucson finally boiled over when police stopped a car in front of the Southside Worker Center. The ACLU and other organizations charge that, especially since passage of SB 1070, police often find pretexts to stop vehicles they believe are carrying undocumented people, and then hold them for deportation.

In this case, police called the Border Patrol after detaining the car's occupants, who then put them into a CBP truck. A local migrant family organization, Corazon de Tucson (Tucson's Heart), urged people to come protest. In an act of civil disobedience, some 60 people surrounded the vehicle carrying the two detained migrants. People from the nearby Presbyterian Church came out in support. They peacefully held hands, chanting, "Let them go!" as the Border Patrol and police responded by shoving people and using pepper spray. Eventually the two were taken to detention.

Alejandro Valenzuela says, "We're tired of being arrested for no reason. These were people we knew. We wanted to prevent them from being taken from their community and family."

Three days later, in further civil disobedience, demonstrators blocked busses taking detainees into the Federal courthouse, chaining themselves to their wheels. The day's session of the Operation Streamline court was cancelled, and 17 demonstrators were arrested.

Similar acts of civil disobedience, blocking buses carrying people for deportation, have taken place in Phoenix, San Francisco, Chicago, San Diego and Austin. They respond to the fact that in the last five years, two million people have been deported from the United States.

In December, Tucson Congressman Raul Grijalva was one of 27 signing a letter to President Obama opposing mass deportations. "Criminalizing American families or giving local law enforcement the responsibility to choose who stays and who goes is not the right option," they said. Whether in court, in Congress or in the streets, the denial of rights in Arizona is being challenged and that challenge is growing.

Street Spirit

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Creating Community on Skid Row in L.A.

"We hang out here because we're not allowed in the upskirts of downtown. Some of us aren't permitted because of the way we look. People have a label on us. They see me as a person who eats out of a trashcan."

— Linda Harris, a cancer survivor who lives in Skid Row

General TC, who calls himself "The People's General," lives on the sidewalk on Skid Row. He is an activist with the Los Angeles Community Action Network.

A cop gives a ticket to a poor bike rider on Skid Row. Activists accuse the police of harassing poor residents in order to force them out of the neighborhood.

Story and photos by David Bacon

"I'm the people's general," says TC, explaining the nickname he's been given on Fifth Street in the Skid Row area of Los Angeles. He earned it by keeping the homeless residents of Skid Row informed and educated, in part through the literature table he maintains next to the blue tarps of his tent. Under the table are the donated clothes he collects, which anyone can take.

"I'm a soldier in the war on poverty," 'General' TC declares. "I've been living here on Skid Row for two years, and I love it because I love the people — most of 'em, at least. I don't like being homeless, and down here it can be hard. But sometimes it can be beautiful too, because people are beautiful, no matter how down and out they may be."

Despite TC's nickname, Skid Row isn't the scene of a military conflict, but it is contested terrain nonetheless.

"There are two communities on Skid Row — the haves and the have-nots," says Deborah Burton, who lives in subsidized housing nearby. "Working and living together makes a community. We're here and we're not going anywhere."

And whether living on the sidewalk or in single-room hotels, this sense of community shared by Skid Row residents is a product of their efforts to keep living there. On Sixth Street, people gather every day at Gladys Park, sharing a couple of drinking fountains, a few patches of grass and several trees.

"People here accept you for who you are," Linda Harris says. She's a cancer survivor, which has given her bumps all over her skin. No one gives her a second look, though, other than to say hello. "They don't turn up their nose at you. Down here everyone is equal."

That's not her sense of the attitude she faces once she leaves the park, though. "We hang out here because we're not allowed in the upskirts of downtown," Harris charges. "Some of us aren't permitted because of the way we look. People have a label on us. They talk about 'those homeless people.' They never say 'the people.' They see me as a person who eats out of a trashcan."

Deborah Burton feels the same scorn at Coles Restaurant on Sixth. "We used to go there because it was affordable," she remembers from her youth. Then the eatery changed hands, and set up tables outside on the sidewalk to serve the new, more affluent people moving into downtown. Prices went up. Well-heeled diners did their best to ignore the homeless people across the street as police moved them on, telling them the city's "sit-lie" ordinance prohibited sitting on the pavement.

"What goes through their mind?" Burton wonders. "You cross the street, and then you can't see us? I tried going into Coles one day to eat, and the maitre d' asked me if I had any money before I even crossed the threshold. That's why I say there are two communities here."

The distinction gets drawn by the city in other ways as well. The further east you go on Sixth Street, away from the new loft conversions, the fewer trash cans you find. The grass is getting brown in Gladys Park because water is expensive. But little patches of bright green lawn dot the sidewalk outside new market-rate residences, planted by the city to give the residents' pets a place to "do their business."

Public bathrooms for people who actually live on the street, however, are hard to find. To Skid Row's poor, this is the "dirty divide."

Ironically, Linda Harris isn't homeless. She lives in an apartment and sings at Church of the Nazarene, as she's done since childhood. She helped bring the users of Gladys Park together a few years ago to get the city to replace filthy water fountains, and then found the resources to build tables for dominoes and board games. Young men now face off in 3-on-3 basketball under new hoops.

Another park further towards downtown, Pershing Square, is much less user-friendly. With skyscrapers and Class A hotels just a block or two away, the square is covered in concrete. Cement benches line its rim, but metal dividers prevent anyone from lying down as they can at Gladys Park, and security guards quickly warn off anyone who tries.

Al Sabo arrived in the square in 2003, pulling two roller bags carrying all his possessions after he was discharged from the hospital. "I had great jobs all my life and never thought I'd end up on the street," he says. "I was terrified. I walked into the park that day, figuring that if anyplace was safe, it would be Pershing Square."

Sabo found the benches filled with drug addicts, but to his amazement, they took care of him. "Most were really decent people," he explains. "They knew I looked out of place. They hustled me up food and found me a safe place to sleep for the next couple of months while I was on the street." He eventually found a room in a cheap hotel, and the experience transformed him.

Chasing homeless people out of Pershing Square, Sabo believes, was intended to make downtown more inviting to residents able to pay market-rate rents, and to help developers converting the old hotels to house them. "But if you do away with all the amenities, who's going to go to the park?" he asks. "Would you bring your family where there's no grass to lay your blanket or picnic with your children where there's no table?"

Sabo began helping others resist efforts to convert buildings into market-rate housing. A former journalist, he started writing a column on displacement for *Community Connection*, the local newsletter of the Los Angeles Community Action Network (LA CAN).

Leonard Woods, living in the nearby Alexandria Hotel, became his ally. Like Sabo, he'd lost a good job and gravitated to the low rents downtown. The Alexandria was a luxury residence for Charlie Chaplin and Rudolf Valentino in the 1920s. Woods even got the room occupied by Helen Ferguson, a silent film star. But by the 1990s, it was pretty run down.

"When I first moved in, I was ashamed," Woods recalls. "I knew what I'd had, and what I'd come to. I didn't let anyone know that I lived downtown because it was Skid Row."

He lost his shame when the hotel's previous owner decided to renovate, and began evicting low-income residents. "I thought, if he moves me out of my room, what makes me think I'm going to get it back? If I didn't fight I was going to lose my home."

"I don't like being homeless, and down here it can be hard. But sometimes it can be beautiful too, because people are beautiful, no matter how down and out they may be."

Woods got a lawyer, filed a suit with several other residents, and eventually won an injunction protecting the hotel's low-income status. In the process, Alexandria tenants got to know each other, and became a community within the hotel bent on staying put. "Now Skid Row is Skid Dollar," Woods laughs. "But why can't I still be here?"

At the Frontier Hotel, tenants won a partial victory in a similar battle. Zuma Corporation, a developer, was able to convert the top three floors to market-rate residences, while floors three to nine remained low-income housing.

The hotel owner, however, then reserved access to the main lobby, with its potted palms and marble floors, for top-floor renters paying $1100 to $3900 a month. Poor tenants had to use a separate entrance around the corner, monitored by guards behind a metal gate and glass barrier.

Steve Diaz, whose family moved to the Frontier after being evicted from their apartment, remembers that poor residents won a temporary injunction against the owner, who then closed the affluent-only entry and gated off the elevator.

"Afterwards," he said, "they required that you show an ID and Social Security card or a room key to get in, and charged us $15 to get the key. I was made to feel like a criminal coming into my own house. The LAPD even ran background checks against everyone in the building."

As Diaz, Sabo and other tenants organized similar committees in other hotels, they all began to develop a greater sense of themselves as a community of low-income Skid Row residents. Together, they got Los Angeles to pass a hotel preservation ordinance that requires no net loss of low-income housing, covering 17-18,000 units citywide, including 7-8000 downtown.

Diaz, who now works for LA CAN, points out that at the Alexandria, all the rooms are covered by Section 8, the government's low-income rent subsidy program, and rents start at $56 a month. "And it's across the street from a converted office building where the starting rent is 90 times higher," he says.

Effectively, that makes Skid Row a community in which both low-income and higher income people live together. Stabilizing low-income housing affects people living on the street. Sidewalk-dwellers and hotel-dwellers are not two separate communities, but one larger one, and people move from one status to another. Los Angeles had about 58,000 homeless people in 2013, 8000 more than two years before.

Both General TC and Sean Gregory had rooms and lost them, pushing them onto the street. Terri King was homeless for three years, and then got a room at the Lyndon Hotel. "Since I got a place I've had my teeth done, my ears done, and I have medical care," she says.

Bill Fisher, a disabled ironworker, would have been homeless after leaving the hospital last December. Instead, he moved into the Star Apartments, a new project of prefabricated modular units erected by the Skid Row Housing Trust, which manages 25 low-income developments throughout downtown.

Fisher and his friend Thomas Ozeki now manage the Star Apartments commu-

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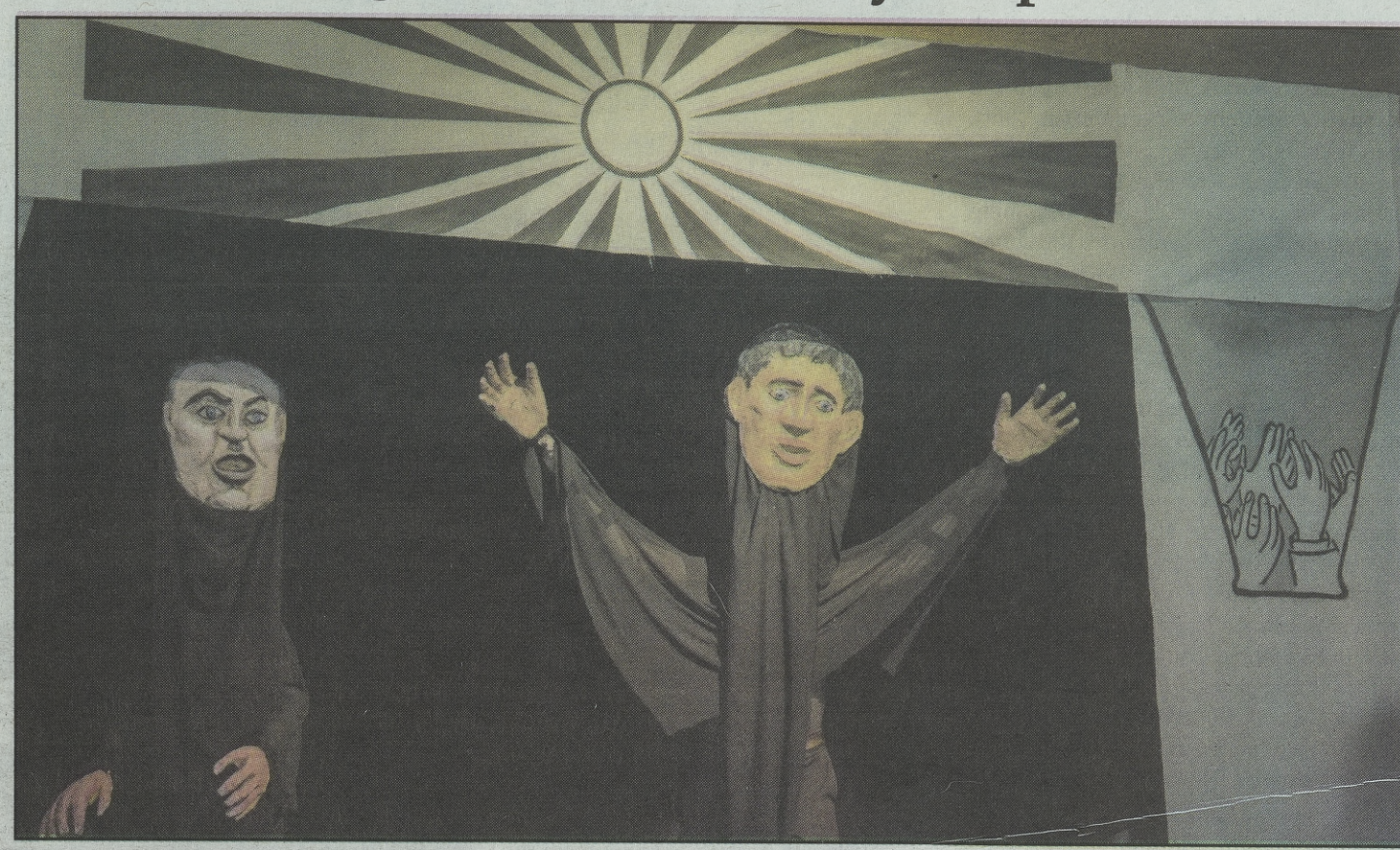
Activists Stage Jack London's Radical *Iron Heel*

"We are going to take your governments and your palaces..."

Art, Puppetry, Theater and Music Bring Jack London's *The Iron Heel* to Life.



Larger-than-life puppets of anti-capitalist organizer Ernest confronting Mr. Wickson, leader of the 1%. Mona Caron photo

The Iron Heel Theater Collective brought Jack London's novel to life with puppets, painted cantastoria banners, and music.

by David Solnit

No, he's not just the dog story and survival-adventure writer of *Call of the Wild* and *The Sea-Wolf*. Jack London's *The Iron Heel* is the strongest articulation of London's emerging anti-capitalism and may have been the first dystopian-utopian science fiction novel.

Written in 1907, the novel predicted the first World War (though with a different outcome), and the merger of corporate power with authoritarian government seen in fascist governments in the 1930s and 1940s and today in the escalating concentration of power and wealth in our current corporate capitalism.

Much of it reads like it could be today, which is why a group of community artists, activists and organizers — the Iron Heel Theater Collective — have chosen to bring it to life using puppetry, painted picture-story cantastoria banners, readers theater and live music.

The first performance on May 18 played to an enthusiastic full house at the Hillside Community Church in El Cerrito and benefited TeamRichmond.net — the progressive candidates for Richmond City Council and Mayor (candidate Eduardo Martinez is the lead performer of the readers theater performers).

Richmond progressives and ordinary folks are battling against Chevron, Wall Street banks, the realty industry, building trades unions, and other parts of the local power establishment that are spending millions and fighting hard to return Richmond — the most progressive city in the United States — to being a company town.

The next performance is scheduled for the evening of October 31, 2014, as part of the Jack London Society Biennial Symposium to be held in Berkeley.

I met Tarnel Abbott over the last decade working on mobilizations against the Chevron Richmond Refinery and with the election campaigns of the Richmond Progressive Alliance, who put an end to the 100-year rule of Chevron in its former company town, Richmond, Calif. Tarnel is a straight-talking retired member of SEIU Local 1021 (used to be 790).

The former Richmond librarian was awarded by the California Library Association's Intellectual Freedom Committee the 2006 Zoia Horn Intellectual Freedom Award for her tireless advocacy of free speech. She is also Jack London's great-granddaughter and continues, as her father did, London radical activism.

Tarnel was invited to perform from her great grandpa's *The Iron Heel* and her own writing on the Occupy movement at the Ankara Theater Festival in 2012 and again this year, with Richmond artist Regina Gilligan. I assisted Tarnel and Regina this year, sharing puppetry and cantastoria-making skills, creating a "cantastoria" or picture-story-painted-banner series and slightly larger-than-life masks, which they took to Ankara, Turkey.

"Cantastoria," in the words of leading U.S. cantastoria maker-performer Clare Dolan, "is an Italian word for the ancient performance form of picture-story recitation, which involves sung narration accompanied by reference to painted banners, scrolls, or placards. It is a tradition belonging to the underdog, to chronically itinerant people of low social status, yet also inextricably linked to the sacred.

"It is a practice very much alive today, existing in a wide variety of incarnations around the world, and fulfilling very diverse functions for different populations. Picture-story recitation in its earliest form involved the display of representational paintings accompanied by sung narration. Originating in 6th century India, this religious and then increasingly secular practice evolved as it spread both east and west."

A worker confronts the wealthy 1% in a cantastoria from *Iron Heel*. Art by David Solnit

Jack London described writing *The Iron Heel* in a letter to a friend in 1908, calling it "a novel that is an attack upon the bourgeoisie and all that the bourgeoisie stands for. It will not make me any friends ... am having the time of my life writing the story."

Jonah Raskin, author of *The Radical Jack London*, wrote: "It was not until the coming of the First World War that it began to attract readers and to win London admiration for his prescience. Indeed, only when socialists in France went to war against their socialist brothers in Germany, and when the rallying cry of 'international solidarity' fell on deaf ears, did *The Iron Heel* attract an international following. The rise of Hitler and Mussolini solidified London's reputation as a 'sociological seer.' In Trotsky's eyes, he was a genuine 'revolutionary artist,' and far more perceptive than either Rosa Luxemburg, the early twentieth-century

See **Activists Stage Iron Heel** *page 11*

A Long March from Selma to San Bruno

from page 1

LaFayette had begun this long march through the nation's jail cells 50 years ago, when he was first arrested in the Nashville Student Movement in 1960, then brutally beaten by a racist mob during the Freedom Rides in 1961, and then marked for assassination after becoming the leading SNCC organizer for the voting rights struggle in Selma in 1963.

THE JAILHOUSE GRADUATION

Our delegation entered a large cellblock and were warmly greeted by about 50 male prisoners attending the graduation on April 22, 2014. Kazu Haga, director of the East Point Peace Academy in the Bay Area, has conducted trainings in Kingian Nonviolence all across the country. Training people in jails has become an important focus of his work, and he has spent several months training men imprisoned in San Bruno County Jail.

San Bruno jail authorities have given full cooperation to Bernard LaFayette and Kazu Haga to enable them to conduct sessions in Kingian Nonviolence inside the jail. The prison guards and counselors greeted us warmly and told me they welcome the training program because it gives a renewed sense of purpose and meaning in the lives of people serving jail sentences in tough circumstances.

Along with Haga and LaFayette, other speakers at the graduation included Gus Newport, former mayor of Berkeley and currently a member of the National Council of Elders; Michael Nagler, founder of the Peace and Conflict Studies Program at the University of California; and Theresa Moran of the East Point Peace Academy.

More than 60 prisoners cheered enthusiastically as Haga introduced the nine graduates and praised their dedication in completing several months of sessions to become certified as trainers in Kingian Nonviolence Conflict Reconciliation.

"I always say that nonviolence is a destination," Haga told the prisoners in the large cellblock. "We never become nonviolent because we're human and imperfect. You'll never get to a place where we'll never fail in being nonviolent because we're human beings, and each one of us, myself included, are all imperfect. So we're always going to fail, but it's about how we get back up again. It's about the study and the practice of nonviolence and getting better and better at practicing this philosophy every single day."

The level of enthusiasm that greeted his comments was remarkable. The cellblock echoed with praise and applause and support for the graduates.

Then Haga drew a direct parallel between the nonviolence training sessions attended today by young prisoners in San Bruno jail and the formative trainings that civil rights icons such as James Lawson, James Forman and Bernard LaFayette held to prepare for sit-ins and marches in the deep South in the early 1960s.

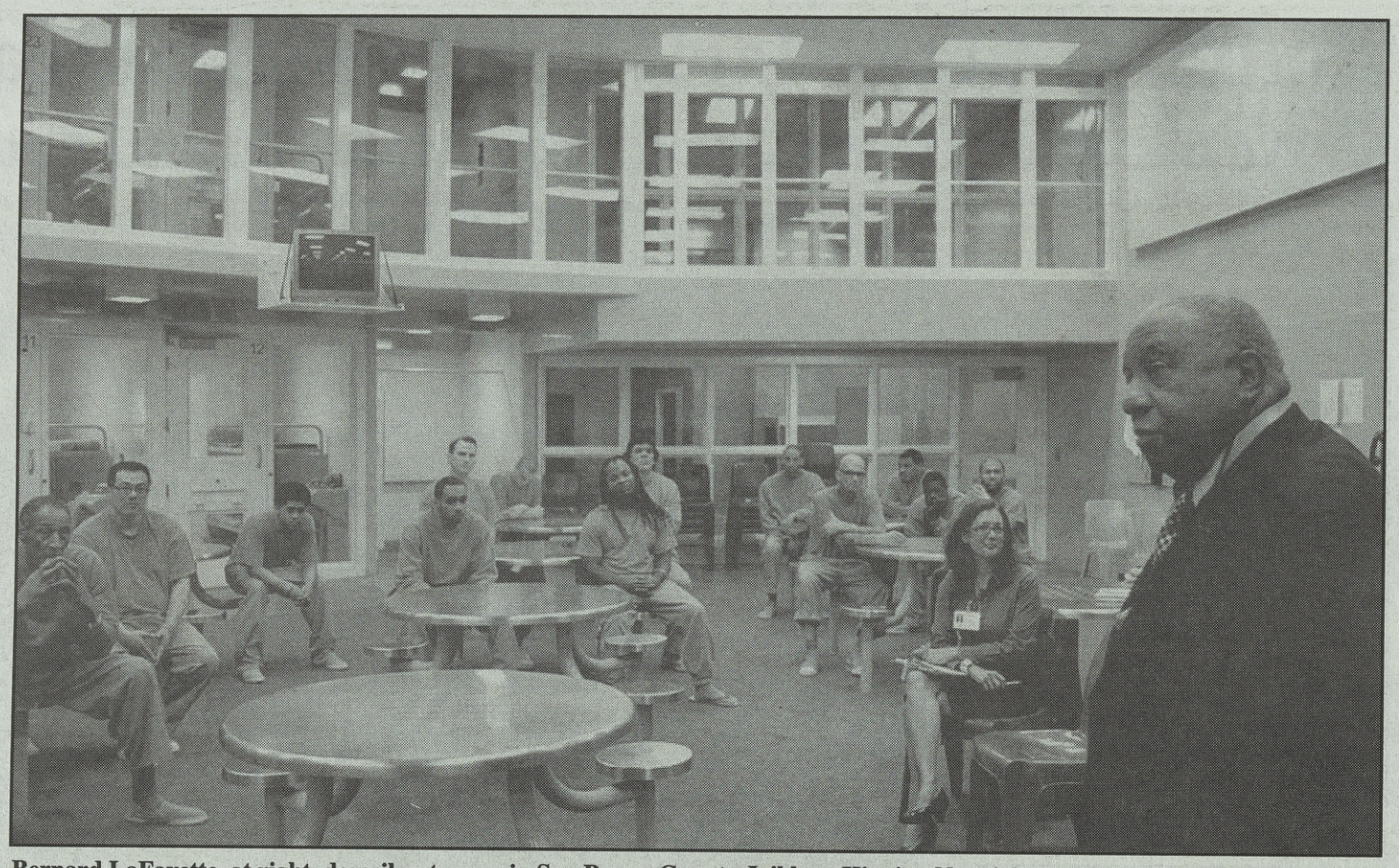
Haga said, "We have been practicing every single week for the last four and one-half months, just like Dr. LaFayette and a lot of the leaders of the civil rights movement who trained for months and months on end before they engaged in the civil rights movement. They knew that change is not an easy thing. Whether it's trying to change something in your own life or trying to change something in the world, it doesn't come easily. You have to be committed to that practice."

The nine men graduating from this program then stepped forward and received their certificates to the prolonged applause of their fellow prisoners.

Haga said, "As each of you receive these certificates, you'll be joining an army of thousands and thousands of Kingian nonviolent warriors around the world, and joining a family and joining a movement — from rebel fighters in Nigeria, to high school students in Chicago, to educators in Nepal, to peace activists in Japan, Sri Lanka and Colombia. Dr. LaFayette has been going around the world recruiting people into the world of Kingian nonviolence.

"So you're really joining a massive movement of people who have committed themselves to trying to create the beloved community. So I hope you are proud of yourselves because I am incredibly proud of you and happy for you."

Gus Newport, the former mayor of Berkeley and a member of the National Council of Elders, told the prisoners, "I just want to say congratulations. I know how difficult it is. I remember coming out of the streets, the person that steered me towards nonviolence was Malcolm X. Thank you for allowing us to be here. Good luck and God bless you."



Bernard LaFayette, at right, describes to men in San Bruno County Jail how Kingian Nonviolence helps create social change.

THE BOOMERANG EFFECT

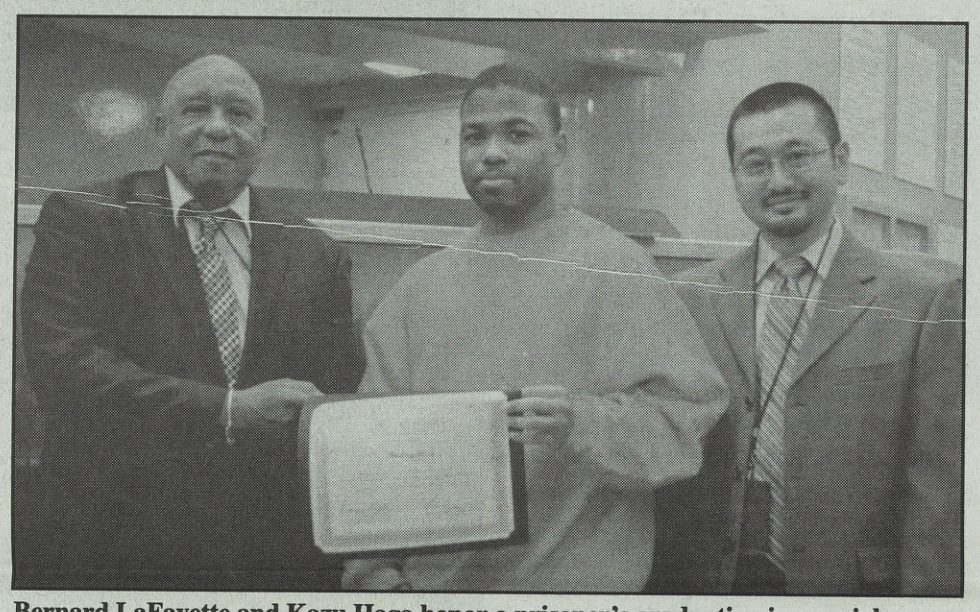
In an interview after the ceremony, Newport said it was remarkable to see Dr. King's vision of nonviolence coming to life all over again in a jail in San Bruno so many years after his assassination. He said that the civil rights movement had a "boomerang effect" on U.S. society.

Newport recalled the riots after King's death when it seemed like everything had been lost, and the momentum of the movement was gone. People at the time "didn't realize how deeply rooted the movement had become," he said. They couldn't see at the time that "with a little water and sunshine how things would go on blooming for another 50 years."

"It's the boomerang that can turn everything around," Newport said. "At a certain moment, it just turns around in its flight. These jail trainings are saying, 'Open up your mind, your spirit, your life, and understand what you are now capable of in serving the greater society.'"

Gandhi said that poverty is the worst form of violence. Newport echoed that in saying that extreme poverty is often the underlying cause of the desperation that drives people to crime. "Poverty is the granddaddy of crime and war," Newport said.

"We know that people who are serving time often got in trouble because they were victims of society. Let's face it, poverty is the granddaddy of crime and war. This country must begin to recognize that. These young people, given the chance, and given some education and training and exposure to a new life and a job, will do more to help turn around this society than some of the people sitting in Washington, D.C., right now."



Bernard LaFayette and Kazu Haga honor a prisoner's graduation in nonviolence.

When asked why he had gone so far out of his way to attend a nonviolence graduation for a handful of prisoners in a remote jail in San Bruno, Newport said, "We who are about peace know that they don't have to look at the world through the eyes of capitalism or violence or war or violation of the environment. We are here because we care about peace and human beings."

WE CAN'T THROW PEOPLE AWAY

Theresa Guy Moran, an attorney working with the East Point Peace Academy, has taken 40 hours of training in Kingian Nonviolence. In an interview at the jail, she said that she finds it very "moving" to take the message of Kingian Nonviolence into the jail cells.

"It's a population that people generally discount, dismiss and throw away," Moran said. "And I see great potential, and great love and great caring here. I mean, I don't romanticize this. People do a lot of things that lead to jail, and then they do what is appropriate to make amends. But we can't afford to throw anyone away. God doesn't make mistakes."

Kazu Haga described to the gathering his belief that the spirit of Kingian nonviolence is indestructible, and could not be killed even by an assassin's bullet.

"The assassin who fired the bullet into Martin Luther King on the morning of April 4, 1968 – that assassin missed," he said. "Because the assassins weren't just trying to kill a person, they were trying to kill a philosophy, a set of ideals, and a movement. Every time we come together to talk about Kingian nonviolence and Dr. King's legacy, we are the evidence that the assassin missed his target. So we are all joining that legacy."

Then Haga introduced LaFayette to the gathering, saying, "There have probably not been very many people on this earth who have done more to keep that legacy alive than Dr. Bernard LaFayette."

LaFayette told the prisoners, "I'm thrilled to be here with you. I've been in jail before. I've been arrested 27 times. This whole idea of nonviolence is spreading around the world. I'm so proud of you. You are joining a global community of people who have found there's another way."

LaFayette met with King at the Lorraine Motel in Memphis on April 4, 1968, the morning of the assassination. King was scheduled to travel with LaFayette to Washington, D.C., to announce to the press their plans for the Poor People's Campaign. But King had to stay in Memphis to work with striking sanitation workers so he sent LaFayette ahead, promising he would join him in the nation's capital.

All that history was on LaFayette's mind as he addressed inmates at the San Bruno jail. He gave one of the most moving expressions of hope I have ever heard.

"When they tried to kill Martin Luther King, they missed," LaFayette said. "Because Martin promised me something in Memphis when I was with him on April 4, 1968. He said, 'You go on to Washington, D.C., to organize the Poor People's Campaign and I'll be along later.' Then he was shot and killed that very day.

"But Martin Luther King was a man of his word. Almost 50 years later, he showed up in a huge, 30-foot memorial statue on the National Mall in Washington, D.C. — right where he said he was coming. Can you imagine that?

"Now they're celebrating his birthday and his life in countries all over the world — in places where Martin Luther King never went. Martin Luther King gave us what he had to offer. The question is: What are we now going to give the world?"

They Refused to Let Justice Be Crucified

The Tri-State Conspiracy to murder Medgar Evers, Bernard LaFayette and Rev. Benjamin Cox.

by Terry Messman

On the same day that legendary civil rights leader Medgar Evers was assassinated in Jackson, Mississippi, two other civil rights leaders were targeted in coordinated assassination plots: Benjamin Cox, a leading organizer for CORE (Congress of Racial Equality) in New Orleans; and Bernard LaFayette, director of the Alabama Voter Registration Campaign for the Student Nonviolent Coordinating Committee (SNCC).

On the same evening that Evers was murdered by an assassin in his carport in Jackson, Mississippi, LaFayette returned home in his car and was confronted by white men who beat him nearly to death with a pistol butt and then aimed the gun point blank at his face, preparing to shoot and kill him. When a neighbor confronted them with a rifle, Lafayette asked him not to shoot his attackers, and the would-be assassins quickly drove off into the night.

The coordinated murder plots are now known as the "tri-state conspiracy." This little-known history is vividly recounted in Bernard LaFayette's book, *In Peace and Freedom, My Journey in Selma*.

After narrowly avoiding assassination, LaFayette went on to spearhead the successful voter registration campaign in Selma that directly led to the passage of the Voting Rights Act of 1965. He then was chosen by Martin Luther King Jr. to become the national coordinator of the Poor People's Campaign in 1968.

In light of his irreplaceable work in the civil rights movement, and in light of the immeasurable value of the countless training sessions in Kingian Nonviolence that LaFayette has conducted all over the world, it is sobering to realize how close the nation came to losing one of its most dedicated practitioners of nonviolent resistance on the same day that Medgar Evers was murdered.

Bloody Sunday in Selma

Selma, Alabama, was one of the most significant battlegrounds in the struggle to win civil rights and voting rights and overcome a systematic form of racist discrimination that prevented nearly all black citizens from being allowed to vote.

On March 7, 1965, more than 600 nonviolent marchers were viciously assaulted when Alabama state and local police attacked the first attempt to march from Selma to Montgomery in support of voting rights. Troops on horseback chased the peaceful marchers, and many were brutally beaten by mounted police savagely swinging whips and batons, while many others were trampled by horses.

"Bloody Sunday" is now an iconic moment in the legacy of the Freedom Movement. Hundreds suffered bloody beatings and some were clubbed nearly to death as police used billy clubs and tear gas to disrupt the march. Amelia Boynton, Lafayette's closest personal ally and one of the most courageous supporters of the voting rights campaign in Selma, was severely beaten, knocked down to the asphalt and hospitalized.

Yet, LaFayette concludes his account of Bloody Sunday with a remarkable passage about how nonviolence can succeed at the very moment when it seems brutalized and beaten down. He wrote: "An objective analysis would conclude that the protesters were defeated. However, from the songs in their souls, one could hear victory.

"And victory it was, as this march, referred to as Bloody Sunday because of the bloodshed, increased the awareness of the important issue. Part of our strategy was to make the nation aware of the conditions people were suffering when they protested about their right to vote. When the national audience saw the horrors, the national conscience was awakened."

Bernard LaFayette gets ready to board a bus on his Freedom Ride in May 1961. Photo credit: Bruce Davidson/Magnum Photos

A Nation is Galvanized

Bloody Sunday was perhaps the bloodiest encounter of the entire civil rights movement. It shocked and galvanized a nation. President Lyndon Johnson had already signed the Civil Rights Act of 1964, and before the Selma brutality, he had said that he was not willing to spend any more political capital on pushing federal legislation to defend voting rights.

So it is all the more remarkable that, as a direct result of Bloody Sunday, Lyndon Johnson signed the Voting Rights Act of 1965, which ensured voting rights for black citizens and banned racial discrimination at the polls. Many analysts and historians consider the Voting Rights Act to be the most significant and powerful legislation for civil rights.

Certainly, the price was paid in full, and not only by those beaten nearly to death by Alabama police. Martyrs paid a more permanent price. Jimmie Lee Jackson, age 26, a nonviolent protester who marched for voting rights along with his grandfather, mother and sister, was shot to death by Alabama state police in February 1965. This shocking murder of an innocent, unarmed, young man sparked the famous Selma to Montgomery March.

Immediately after Bloody Sunday, Viola Liuzzo was shot to death and Rev. James Reeb was beaten to death by white racists and Ku Klux Klan members.

The deaths ignited a nation. On March 15, 1965, only eight days after Bloody Sunday, President Johnson delivered a Special Message asking Congress to pass the Voting Rights Act. Johnson called Selma "a turning point" in humanity's search for freedom. Johnson said, "There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man, a man of God, was killed. There is no cause for pride in what has happened in Selma. There is no cause for self-satisfaction in the long denial of equal rights of millions of Americans."

Yet, even though Bloody Sunday in 1965 marked one of the most important turning points for the nation, blood had started flowing on the streets of Selma two years earlier, when LaFayette was beaten nearly to death on the same day that Evers was killed.

It later became known as the "tri-state conspiracy." It was a coordinated plan to assassinate Bernard LaFayette in Selma on June 12, 1963; Benjamin Cox, a leader for CORE (Congress of Racial Equality) in New Orleans; and Medgar Evers, a courageous NAACP leader in Mississippi. This assassination plan was carried out just hours after President John Kennedy had given a major speech on national television in support of civil rights.

Too Many Martyrs

Medgar Evers is now rightly revered as a legendary hero of the Freedom Movement. As the Mississippi field secretary for the NAACP, Evers had defied several assassination threats and kept working fearlessly for civil rights, until he was shot in the back at his home in Jackson on June 12, 1963, by a rifle-bearing member of the White Citizens' Council and the Ku Klux Klan, Byron De La Beckwith.

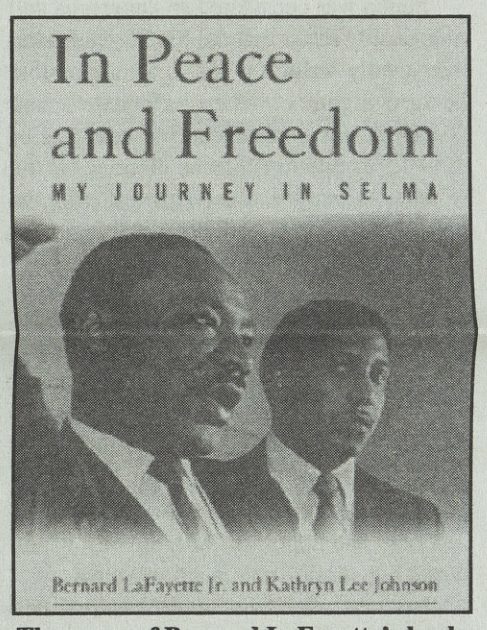
In the years since his death, Medgar Evers has been honored in movies and books and songs; his memory and legacy have been celebrated at Arlington National Cemetery; and a memorial statue of the slain civil rights icon was erected in Jackson, Mississippi, in June 2013.

Bob Dylan honored Evers in the song, "Only a Pawn in their Game." Dylan sang, "Today, Medgar Evers was buried from the bullet he caught. They lowered him down as a king."

The folksinger Phil Ochs, deeply committed to the cause of civil rights as a musician and an activist, wrote an anthem, "Too Many Martyrs," with an unforgettable description of Evers' murder.

"He slowly squeezed the trigger,
the bullet left his side,
It struck the heart of every man
when Evers fell and died."

Even though the cold-blooded murder of Evers is now remembered as a highly significant moment in the history of the civil rights struggle, the story of the two other intended victims who were shadowed by murder plots as part of this tri-state conspiracy is almost unknown.



The cover of Bernard LaFayette's book shows him with Martin Luther King Jr.

CORE activist Rev. Benjamin Cox just happened to have traveled out of New Orleans that fateful night. "That chance trip saved his life," LaFayette writes.

Rev. Cox had been arrested many times for organizing sit-ins that succeeded in integrating several restaurants, including McDonald's. In May 1961, Cox and 12 other activists became the original Freedom Riders, riding the bus from Washington, D.C., to New Orleans.

After the FBI told Cox and LaFayette that they had been targeted in the tri-state conspiracy that claimed Evers' life, the two men realized they had escaped death by the narrowest of margins. With a grim sense of gallows humor, LaFayette wrote: "We've been friends for many years and sometimes Cox sends me a 'death-day' card instead of a birthday card!"

LaFayette was only 22 years old when he began directing the Alabama Voter Registration Campaign for SNCC in January 1963. Yet he already was a seasoned activist after being arrested two years earlier during the restaurant sit-ins with the Nashville Student Movement in 1960.

Only a year later, LaFayette became a Freedom Rider. He gives a harrowing account of being brutally beaten by a mob of white racists who attacked the Freedom Riders at the Montgomery bus station in May 1961. Yet LaFayette is always the indefatigable teacher of nonviolence.

Instead of focusing in his book on the

See **A Refusal to Let Justice** *page 10*

A Refusal to Let Justice Be Crucified

They found the courage to march on despite the beatings and bombings and bloodshed and murders. They refused to let truth be crushed and justice buried.

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horrific violence the Freedom Riders were subjected to, his real message is to teach how nonviolent activists can face physical violence and still keep their spirits intact and their movement alive.

"In the Montgomery bus station a ranting mob viciously attacked us. Several of us were severely beaten. However, we defied all expectations. We didn't run, we didn't fight back. We got back up when slammed to the ground, and looked our attackers directly in the eyes, fighting violence with nonviolence. In spite of our injuries, with many of us bleeding and battered, we got back on the bus and continued our ride toward Jackson." [*In Peace and Freedom,* p. 11.]

The Most Hostile City

Far from being deterred by these violent attacks, the young activist was more determined than ever to put the nonviolent teachings of Martin Luther King and James Lawson into practice in one of the most hostile and intolerant of southern cities — Selma, Alabama.

Selma was considered so dangerous and implacably racist that the SNCC leadership had totally written it off as an impossible area to organize. When LaFayette asked James Forman, the executive secretary of SNCC, to appoint him as director of the Voter Registration Campaign in Selma, he learned that SNCC had just removed Selma from the list of possible organizing sites after two groups of SNCC workers had returned from scouting the city and reported, "The white folks are too mean and the black folks are too afraid."

Yet LaFayette remained dedicated to putting the teachings of nonviolence to work in a city where they would meet the toughest test imaginable. Forman finally relented and appointed him director of the voter registration campaign in Selma.

His book, *In Peace and Freedom,* is a highly insightful case study in community organizing whose lessons remain just as valuable today. As soon as he arrived in Selma in January 1963, he began bringing together an embryonic organization of Selma residents to carry out a systematic voter registration campaign that, only two years later, would literally transform the face of a nation, when it catalyzed the passage of the Voting Rights Act of 1965.

Yet his central role in this momentous struggle was almost erased at the beginning of his Selma sojourn. Just as Medgar Evers was assassinated in the evening when he pulled into his carport after a meeting with NAACP lawyers, LaFayette was attacked that same evening when he pulled into his driveway after a voter-registration meeting in Selma.

As he got out of his car, two white men in a nearby parked car asked him to give their stalled vehicle a push. As LaFayette got out of his car to help him, they savagely attacked him without warning, smashing his head with a crushing blow that knocked him to the ground. When he rose up again and stood his ground, the attackers pounded his head with a pistol butt, again knocking him to the ground. Each time the men struck him with these crushing blows, LaFayette simply stood up again, refused to run or defend himself, and looked his assailant in the eye.

After the third blow, the would-be assassins aimed a gun point blank at his face. At that moment, his neighbor Red ran out, and pointed a rifle at them. LaFayette hollered, "Don't shoot him, Red!" Adhering to nonviolence even at great risk to his own life, LaFayette stood between the two armed men with his arms outstretched. The attackers jumped into their car and sped off, and LaFayette was taken to the hospital.

During the brutal assault, LaFayette felt a sense of "spiritual empowerment that allowed me to feel an extraordinary sense of internal strength instead of fear." Even though he was face to face with death, he wrote, "I felt an intense force that seemed to lift me up emotionally, even though I didn't know what would happen next. It was a surrendering of life, in a sense, and I was prepared."

He realized that this "surreal feeling" had happened only twice in his life, both times when he was under physical attack. "I view it as a form of resistance, with support from a power beyond myself," he wrote. [*In Peace and Freedom*, p. 75.]

The nearly lethal violence directed against LaFayette after he had only worked for a few months in Selma seemed to confirm the initial decision by the SNCC leadership to entirely avoid any campaign for civil rights in Selma. A lesser man — and a lesser movement — would have abandoned the entire organizing effort in Selma right then and there.

Instead, the assassination attempt boomeranged on them. The black community had been oppressed for so long by threats of terrible reprisals — fearing everything from the loss of jobs to the loss of their lives — that they were intimidated into being silent, afraid to speak out publicly even for their right to vote.

A Turning Point in Selma

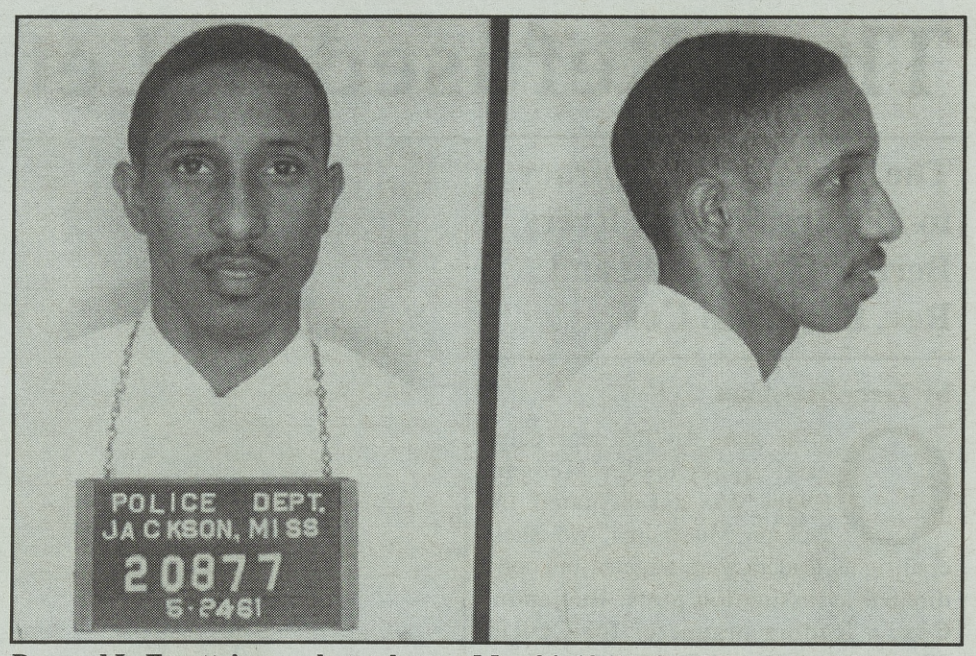
The assassination plot seemingly confirmed all their worst fears, yet it became a turning point in the struggle toward freedom. LaFayette explained: "The feelings of blacks in Selma toward me changed after that night because they realized I was prepared to give my life for a cause that would serve them. There was a different climate, a new attitude. People not only sympathized; they offered genuine support."

He now found that many more people were committed to attending the mass meetings and voter registration classes, and long lines of people began bravely standing up for their rights at the voter registration office, where they willingly risked arrests and beatings by the notoriously brutal Sheriff Jim Clark and his deputies.

Sheriff Clark and other Selma officials wore buttons proclaiming "NEVER!" to show that they would never tolerate any attempts at integration and voter registration. They drove their segregationist message home by violently attacking and arresting Selma citizens as they peacefully attempted to register to vote. Yet hundreds of people from all walks of life found the courage to challenge Sheriff Clark and the brutal apparatus of segregation.

This is the boomerang effect of nonviolence that Gus Newport had described to me at the San Bruno jail. This boomerang effect has made an unexpected appearance in many seemingly hopeless nonviolent campaigns when an oppressed people suddenly discover the spirit of resistance rising from within at the very moment when the authorities have attempted to destroy a movement with violent repression.

But then, just as people were finding new courage in Selma, the 16th Street Baptist Church in Birmingham, Alabama, was bombed on September 15, 1963, by the Ku Klux Klan, killing four young girls attending Sunday School and injuring hundreds more. Two months later, President John F. Kennedy was assassinated on November 22, 1963.



Bernard LaFayette's mugshot, taken on May 24, 1961, after his arrest with other Freedom Riders in Jackson, Mississippi.

LaFayette wrote, "The people in Selma had been hopeful with Kennedy, and they were now filled with a profound sorrow and grief, having lost an influential supporter of the civil rights movement."

The twin tragedies threatened to tear the heart out of the movement. "Many of us felt that if the most powerful leaders in the world could not be protected, then the common person, particularly black persons, certainly had no protection at all," [*In Peace and Freedom*, p. 104.]

The Magnificent Movement

And that is when the movement rose up and magnificently met the challenge. People persevered in spite of the deaths of innocent young girls in church. They persevered in the face of the assassination of Medgar Evers and President Kennedy. In the face of death threats and bombings and the savage brutality of Selma Sheriff Jim Clark, the movement defied all expectations and grew stronger in commitment.

Nonviolent resistance has been defined as "relentless perseverance." LaFayette watched as that spirit of perseverance emerged in Selma. "We considered ourselves soldiers in a nonviolent army and would continue to fight against violent acts with nonviolence. Violence was never a deterrent for us. We believed that if we sustained the movement in spite of the violence, we would succeed and bring about the changes we sought."

It all built up to an historic showdown during the three marches from Selma to Montgomery. The first march on March 7, 1965, was"Bloody Sunday" when hundreds of marchers were brutalized by police on the Edmund Pettus Bridge.

The second march was held only two days later on March 9. Hundreds of marchers crossed the Edmund Pettus Bridge and the entire crowd knelt down in prayer with Martin Luther King and Ralph David Abernathy in what they called a "Confrontation of Prayer."

Many were very critical that the marchers turned around and walked back across the bridge instead of continuing on and provoking a mass arrest. In LaFayette's analysis, these critics didn't understand what the real purpose of that march was.

The organizers were waiting in expectation that the federal government was on the verge of lifting an injunction against the right to march. They held the second march to keep the heat and the media glare on the city of Selma, but they wanted to avoid an unwanted, unnecessary and irrelevant battle with the federal government at a time when they were pressuring federal officials to overturn Alabama's local laws that prevented black people from voting.

The organizers had analyzed things correctly. The federal injunction was indeed lifted only 10 days after the second march, and the third and final march was scheduled for March 21, 1965. Now the battle lines were clear. It was the Freedom Movement versus Alabama officials — from Gov. George Wallace on down to Sheriff Jim Clark — who had illegally prevented black citizens from voting for decades.

On March 21, the third March to Montgomery began in Selma and five days later, a large group of marchers reached Montgomery and held a massive rally of 25,000 people on the steps of the Alabama State Capitol.

'How Long, Not Long'

Martin Luther King delivered the historic "How Long, Not Long" speech.

King asked, "How long will justice be crucified and truth bear it? I come to say to you this afternoon, however difficult the moment, however frustrating the hour, it will not be long because truth crushed to earth will rise again.

"How long? Not long, because no lie can live forever... "How long? Not long because the arc of the moral universe is long, but it bends towards justice."

The Selma campaign was the best of times, and the worst of times. It was the best of times because as a direct result of the Selma campaign and the march to Montgomery, President Johnson and the Congress passed the Voting Rights Act and ripped up many of the Jim Crow laws that prevented black citizens from voting.

It was the worst of times because Viola Liuzzo, a civil rights activist and mother of five, was shot to death by a carload of Ku Klux Klan members as she was ferrying marchers between Montgomery and Selma after the rally. LaFayette knew Viola Liuzzo as a selfless activist for justice.

He wrote, "There's not a time that I drive past the monument that marks the area where she was killed that I don't reflect on that tragic night and say a silent prayer for her and for the family she left behind." [*In Peace and Freedom,* p. 141.]

LaFayette says he has "mixed emotions" whenever he thinks about Liuzzo and all those who gave their lives so selflessly for the cause of justice, yet he always remembers "how she sacrificed her life to that others might live and enjoy freedom and democracy in their own nation."

Those words are a testament as to how we should remember and honor those who gave their lives to win one of the most important struggles in our nation's history.

We must remember Medgar Evers, Jimmie Lee Jackson, Viola Liuzzo, Rev. James Reeb, Martin Luther King Jr. and the four girls killed in Birmingham, Addie Mae Collins, Denise McNair, Carole Robertson and Cynthia Wesley.

I remember, now and always, how an oppressed and insulted people, a people subjected to a nearly totalitarian system of racism enforced by overwhelming levels of state-sanctioned violence, found the courage to march on with all the odds against them, march on despite the beatings and bombings and bloodshed, march on despite the murders. They refused to let truth be crushed, and justice crucified.

Activists Stage Jack London's *Iron Heel*

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German revolutionary, or V. I. Lenin, the leader of the Bolshevik Revolution of 1917, who admired London and seems to have borrowed the phrase 'the aristocracy of labor' from *The Iron Heel* to describe that sector of the working class that had lost its working-class consciousness and sided with capital. In the 1960s, *The Iron Heel* experienced another resurgence. Vietnamese as well as Americans read it as a text on the evils of imperialism. It has never gone out of print, but London scholars often ignore it."

Here is my favorite passage from our theater adaptation of *The Iron Heel* where anti-capitalist organizer Ernest directly confronts Wickson, a leader of the 1% capitalist elite:

ERNEST: "With modern technology, five people can produce bread for a thousand. One person can produce cotton cloth for two hundred and fifty people, woolens for three hundred, and boots and shoes for a thousand. If modern worker's producing power is a thousand times greater than that of the cave-man, why then, in the United States today, are there millions of people who are not properly sheltered and properly fed? The capitalist class has mismanaged. You have made a shambles of civilization. You have been blind and greedy. You are fat with power and possession, drunken with success.

"Now, let me tell you about the revolution. Such an army of revolution, millions strong, is a thing to make ruling classes pause and consider. The cry of this army is: 'No quarter.' We will be content with nothing less than all that you possess. We want in our hands the reins of power and the destiny of mankind. We are going to take your governments and your palaces...and then you shall work for your bread even as the peasant in the field. Here are our hands. They are strong hands!

"This is the revolution, my masters. Stop it if you can. You have criminally and selfishly mismanaged. And on this count you cannot answer me here tonight!... You cannot answer."

WICKSON: "No answer is necessary! Believe me, the situation is serious. That bear reached out his paws tonight to crush us. He has said that it is their intention to take away from us our governments and our palaces. A great change is coming in society; but, haply, it may not be the change the bear anticipates. The bear has said that he will crush us. What if we crush the bear? We are in power. Nobody will deny it. By virtue of that power we shall remain in power.

"We will grind you revolutionists down under our heel, and we shall walk upon your faces. The world is ours, we are its lords, and ours it shall remain. Labor has been in the dirt since history began. And in the dirt it shall remain so long as I and mine and those that come after us have the power. There is the word. It is the king of words — Power. Pour it over your tongue till it tingles with it. Power."

Jack London while writing *The Sea-Wolf* at Wake Robin Lodge, Glen Ellen, Calif.

ERNEST: "It is the only answer that could be given. Power. We know well by bitter experience, that no appeal for the right, for justice, for humanity, can ever touch you. Your hearts are hard as your heels with which you tread upon the faces of the poor. You cannot escape us. Power will be the arbiter, as it always has been. It is a struggle of classes."

His Heart Is with the Street People

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reach." The word "peer" is important, and he explains its meaning. "I mean somebody who has their own mental health issues, (has had) some recovery and is able to help somebody. I've been on the streets, suicidal, depressed, done just about every drug there is. I don't do all this now. Sometimes I sleep out just to remember."

We had a couple long conversations sitting on a bench in Peoples Park while Food Not Bombs was serving a meal to people in the park. Diehl's job involves connecting homeless and at-risk people with community services that will help them get housed and stabilize their lives.

But the work is extremely frustrating, he says, because there are not enough services to help all those in need, and nowhere near enough housing for all the people desperate to get off the streets. Consequently, there is a high burnout rate among workers in homeless services.

"I don't want to be another paper shuffler sending people to go here and there," Diehl said. "They get plenty of that already. If I'm to connect people to mental health services or housing, there needs to be some significant investment in that. That's why I'm not going to give up the social justice thing."

He deals with many people on the street who act out, who yell and get violent or abusive. "A lot of people on the streets have mental health issues," he said, adding that he is convinced that "there is a mental health component to homelessness."

Diehl objects to the biomedical model of mental illness, what he calls the "broken brain theory" promulgated by the psychiatric establishment. "It's more about trauma," he said. A large part of that trauma stems from the destabilizing effects of poverty and the dangerous and nerve-racking experience of homelessness.

"People need to know there is a heavy social price (of economic) inequality and I think that is one reason why this country has high rates of so-called mental illness," he said. "Homelessness is a major trauma because you're not feeling safe. You aren't safe. You're in a danger zone. It is dangerous on the streets. And a lot of people that have been victims of violence — they project it out. They're on the edge."

He admits that, "I had to do years of meditation to get rid of my anger." He puts it simply: "Hurt people hurt people."

I asked what he does with people who have been traumatized. His answer was a lesson I have taken to heart: "Get them to tell their story! That's the most important thing. That's a lot of what I do."

He described a Code Pink demonstration in front of the Marine Corps recruiting office in Berkeley that took place several years ago. A crowd of very angry men had gathered, and were threatening violence against the peace protest.

"It became very clear," Michael said. "There was one guy with an American flag. He came from inland California and he was mad. He was a Vietnam vet."

Diehl simply asked the man to explain his feelings about the war and the demonstration. "I said, 'Tell me why you think that.' And he told his whole story about Vietnam. I just listened for 20 minutes and he said, 'Thanks, that felt good.' I said, 'I figured you wanted to come to Berkeley and tell someone.' And he took his flag and he went off."

Diehl is deeply concerned about the violence in society. He quotes psychologist Abraham Maslow, who wrote that food, shelter and safety are basic human needs. "Safety, which is basically about violence — that's what trauma is about," Diehl said. "It's a violent society. We're not totally owning up to that. More than any society in the world, we are an extremely violent society. And the fact that we're not looking at that is a problem."

Referring to the recent shooting of Gayla Moore, he pointed out that in a crisis situation the police are not adequately trained to deal with it. What is needed is a Crisis Intervention Task Force, a proposal that was considered some years ago but never implemented. Berkeley Mental Health has a mobile crisis unit but it is grossly understaffed and underfunded.

I had been talking about community organizing recently with Yukon Hannibal, a Peoples Park regular, who has been more or less housed for many years. We first met when he was living at the Albany Bulb before the first eviction in 1999. Hannibal told me of his first encounter with Michael Diehl at the Free Clinic where Michael was working.

Michael Diehl and Grace Chen dance in Peoples Park music festival. Lydia Gans photo

"Some years later we actually met," Hannibal said. "I started talking about reviving the Berkeley Homeless Union. I asked Michael and we started the Berkeley Homeless Union together." He listed some encampments they supported. "We moved on that together, along with the people."

That is a good description of Diehl's approach to community organizing. When he sees an interest developing around a particular issue or activity, he helps people work together to make it happen.

The garden in Peoples Park is a recent example. Diehl says simply, "I helped get things going and then stepped back and let other people do it." But it was not easy. I remember watching agonizing months of conflicts and temper tantrums as well as unabated pressure from the University of California. Diehl was with them through it all until they achieved peace and unity. Now, with a dedicated crew of gardeners, the place is flourishing with a lush assortment of corn and vegetable greens and some lovely flower beds.

"Now it seems to be working so I don't need to continue," Diehl said. "That's the essence of being a good organizer. You want to avoid being the one doing it all."

He's not all seriousness. He loves music and dancing. If someone sets up their drums in Peoples Park and starts playing, Michael will break into an exuberant dance. It doesn't matter that nobody joins him. But he can make it part of his activism. "It brings a whole new dimension to it," he said.

At Occupy Oakland, when someone brought some music, he started dancing and soon it became a group activity. His connection with the street youth on Shattuck Avenue in Berkeley is built on a shared appreciation of music. He will talk with enthusiasm about all the different music scenes he's been part of over the years.

Economic and social conditions all around us are worsening. More and more people are being caught in a web of sickness and deprivation. But at least here in Berkeley, someone is listening.

Someone cares enough to treat the people who live on the streets as neighbors and friends, not as outcasts. Perhaps there is a lesson here about the importance of tolerance for others. A lesson about respect and human dignity. A lesson about our shared humanity, more important than ever in a society where so many are hurting.

In recent years, homeless, low-income residents and community groups have worked together to ensure that Skid Row in L.A. has affordable housing.

Leonard Woods lives in the Hotel Alexandria on Skid Row. He and a group of residents kept developers from displacing all the poor people living in the hotel.

Community on Skid Row

from page 6

nity garden, which they see as an organizing tool. "It helps create community," Fisher points out. "In the middle of Skid Row, look how beautiful it is."

In addition, the community garden provides a source of fresh vegetables — a rarity on Skid Row, which activists call a food desert. "I have to catch two busses to get to the closest grocery store," Deborah Burton charges.

Fisher says when they harvested their first zucchini, they discovered that some residents had never eaten the vegetable. Now the garden produces Japanese cucumbers, tomatoes, sunflowers, potatoes, garlic and rosemary as well.

"Every week we have a class," Ozeki explains. "Right now, we're planting seedlings, and people learn to prune, and then put fish meal into the watering cans. Urban gardens require a lot of care."

To help spread access to gardening resources, and therefore to fresh produce, LA CAN helped form the Skid Row Garden Council. Organizations donate trees, seed and soil, which the council distributes to buildings where residents set up a garden. Ozeki guides urban gardeners in three other buildings belonging to the Housing Trust. "They have 19 buildings with gardens," he says.

According to LA CAN organizer Eric Ares, "Nutrition education is a big part of our work. We want to grow our own food so that we don't rely just on markets."

At LA CAN's own building, the activist community set up a rooftop garden, growing tomatoes and other vegetables in containers of dirt hauled up several flights of stairs. In their new office, setting up the rooftop garden will be easier — it's a one-story building.

"Everything we grow is distributed free or prepared in meals for our community," Ares emphasizes.

The local farmers markets often see downtown's affluent residents as their preferred clients, and LA CAN has negotiated with many of them to get them to accept Electronic Benefit Transfer (EBT) cards from poor residents. In California, public assistance and food stamp benefits are paid into accounts, and recipients then use the cards to buy food.

"At the City Hall market, getting EBT access was easy, but at the Grand Park market the managers didn't want to take them at all," Ares charges. In Pershing Square, managers say they're setting up their own, separate system.

The Pershing Square market first tried to use security to push homeless and obviously poor people out on market days, and even forced a woman in her 80s, who'd been handing out free sandwiches for years, to stop her distribution. "But we worked with them, and they backed off," he says.

A homeless man on Skid Row has attached a sign to his shopping cart alerting the police not to confiscate his belongings.

Security at the Pershing Square market tried to push homeless and obviously poor people out on market days, and even forced a woman in her 80s, who'd been handing out free sandwiches for years, to stop her distribution of food to the poor.

LA CAN has also started its own food distribution program, a Pop-Up Market organized with Women Organizing Resources. "We get food in Southern California and sell it, but not for profit," Ares says. "We started in South LA, and now we're bringing it downtown." In its first six months, the market distributed 3.8 tons of organic produce.

Homeless people define Skid Row as a community in many ways. General TC points out that most homeless men are veterans. Gregory says it's the largest single community of people in recovery from alcoholism and addiction in the country.

"There's also a community of artists who live here and I'm one of them," Gregory boasts. He's acted in plays about addiction and recovery put on by one of the area's oldest theater groups, the Los Angeles Poverty Department. Another local ensemble, Cornerstone Theater, incorporates Skid Row residents and their ideas into its productions.

Yet another group, the Women's Action Coalition, organizes an annual variety show to highlight local talent and raise money to support women and families.

Skid Row's population is overwhelmingly male, in part due to county policy. From 2005-2008, the Board of Supervisors declared "zero tolerance" for families living on Skid Row. Under pressure from Supervisor Gloria Molina, teams from Children and Family Services interviewed parents in Pershing Square, at the Union Rescue Mission, and other Skid Row locations to determine if they were fit to remain with their children.

In 2007, they took 15 children from their parents. The policy caused great controversy. Another supervisor, Yvonne Braithwaite Burke, told the *Los Angeles Times*, "There should never be an assumption that because you're poor, you should be taken from your parents and placed in foster care."

The policy was eventually ended, but today women and children make up less than ten percent of Skid Row's population. Class and race increasingly determine who can have children downtown. Toddlers in expensive strollers are a common sight outside market-rate lofts.

"A community without children is a community without a future," according to LA CAN co-director Becky Dennison. "We have to improve the community, as opposed to push poor mothers or women of color out."

Some measures that were felt as discriminatory by homeless people and hotel residents have been successfully challenged. A policy by some hotels to charge a guest fee to family members staying overnight was overturned. A federal court forbade police from confiscating the belongings of homeless people.

Meanwhile, however, city code section 41.18D still prohibits sitting and lying on the sidewalk between 6 a.m. and 9 p.m. Poor residents accuse the police of using it selectively against them, and the Safer Cities Initiative targets police enforcement to Skid Row east of Main Street.

In 2006, the 50 extra police it mandated for the area issued 12,000 citations. In response, that year the 9th Circuit Court of Appeals ordered the city to stop its overzealous approach.

Nevertheless, citations have continued, and last year, two LA CAN members handing out seedlings for gardens were even cited, and one officer warned hotel tenants they should "keep moving" once they walked out of their building. Restaurants catering to higher income clientele, however, are allowed to have people wait outside for tables and even put tables on the sidewalk.

"They complain about the homeless problem, but there's one sure way to get hundreds off the street," Gregory says, and points to the Cecil Hotel on Main Street, where a deal fell through that would have rehabilitated hundreds of rooms for people living on the sidewalk. "We are fighting for a place that belongs to us."

"The Skid Row community is one of the most vibrant communities in Los Angeles," Dennison says. "Folks take care of each other, know each other and live very densely. Here, you either create community or you get wiped off the map."

All photos are by renowned photojournalist David Bacon. With thanks and appreciation to Equal Voice News. See more at: http://www.equalvoiceforfamilies.org/

the streets of Berkeley for 30 years. Lydia Gans photo